

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
NEW YORK CITY DIVISION

UNITED STATES OF AMERICA,
Plaintiff-Respondent.

v.

CARLOS JOSE ZAVALA VELASQUEZ,
Defendant-Movant.

§
§
§
§
§
§
§
§

CASE NO. 5415 Cr.-174-LGS

MOTION SEEKING CESSATION
OF FURTHER EXTENSIONS
FOR GOVERNMENT
IN FILING SURREPLY

Comes CARLOS JOSE ZAVALA VELASQUEZ, Defendant-Movant in the above-styled and numbered cause, and respectfully submits this Motion Seeking Cessation of Further Extensions for Government in Filing Surreply. Currently, the Government has sought two extensions of 30 days and 20 days [Crim. Doc. 529 & 531, respectively], which this Court granted. [Crim. Doc. 530 & 532]. Zavala submits that fifty days is more than enough time to draft a 15-page Surreply. He also points out the Government has filed these extension exclusively on the criminal docket and not the civil document, thereby throwing shade on these requests; for, it appears the Government is attempting to conceal these from Zavala's access. Moreover, neither Government extension was served upon Zavala. For these reasons, this Court should prohibit any further attempts by the Government to secure extensions.

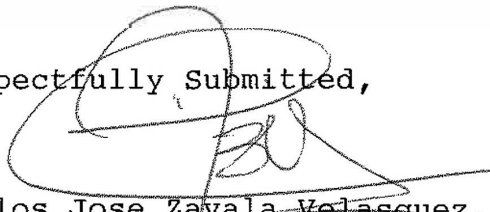
Other questionable Government behavior has manifest during the pendency of these requests for extensions; however, Zavala will

only attest to such if he is (a) provided in camera review; (b) provided ex parte assurances; and (c) provided the protection of the Court's seal. This questionable behavior supports Zavala's suspicions of the Government's motive for repeatedly delaying this process.

Nevertheless, he respectfully requests the Government be provided no additional extensions. As submitted previously, Zavala is innocent; and every additional day in federal prison is horrific for him.

(1) Petitioner's application to bar further extension is denied as moot because the Government has filed its reply. (2) Petitioner's request to discuss the Government's behavior in camera, ex parte and under seal is denied. The Court ordinarily does not communicate with only one party in private absent extraordinary circumstances. (3) In compliance with the Court's practice, the parties shall file all documents related to the 2255 motion in both the criminal and the civil docket. By October 8, 2021, the Government shall re-file in the civil docket all past documents related to the 2255 motion as exhibits in one entry.

Respectfully Submitted,

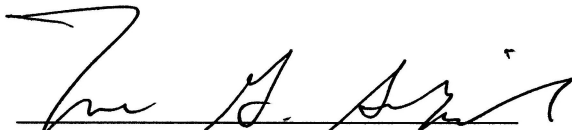

Carlos Jose Zavala Velasquez, pro se
Reg. No.
FCI Beaumont Low
P.O. Box 26020
Beaumont, TX 77720

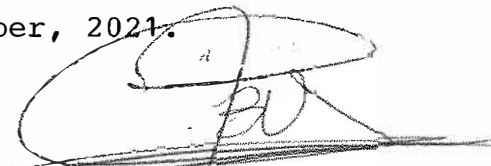
Date: October 5, 2021
New York, New York

DECLARATION

I, CARLOS JOSE ZAVALA VELASQUEZ, do hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge.

Executed this 16th day of September, 2021.


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

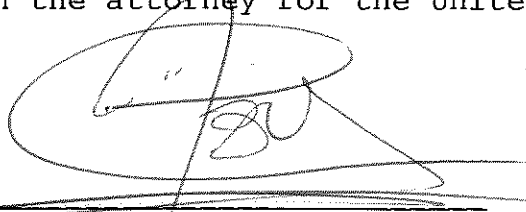

Carlos Jose Zavala Velasquez
Reg. No. 91115-054
FCI Beaumont Low
P.O. Box 26020
Beaumont, TX 77720

CERTIFICATE OF SERVICE

I, CARLOS JOSE ZAVALA VELASQUEZ, do hereby certify that on the 16th day of September, 2021, a true and correct copy of the foregoing was deposited into the outgoing legal mail for this institution with postage prepaid and affixed and addressed to the following:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DANIEL PATRICK MOYNIHAN U.S. COURTHOUSE
500 PEARL STREET, ROOM 120
NEW YORK, NY 10007-1312

In light of my pro se, prisoner litigant status, I respectfully request electronic service upon the attorney for the United States.



Carlos Jose Zavala Velasquez
Pro se

Reg. No. 91115-054
FCI Beaumont Low
P.O. Box 26020
Beaumont, TX 77720

CARLOS JOSE ZAVALA VELASQUEZ #91115-054
FCI BEAUMONT LOW
P.O. Box 26020
BEAUMONT, TX 77720

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE
CERTIFIED MAIL™

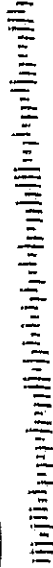


7006 1630 0001 7039 8052

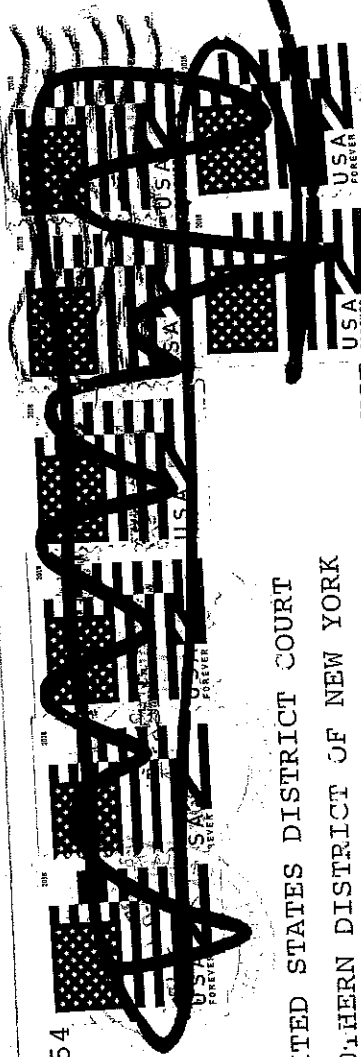
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DANIEL PATRICK MOYNIHAN U.S. COURTHOUSE
500 PEARL STREET, ROOM 120
NEW YORK, NY 10007-1312

RECEIVED
OCT 11 2021
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DS
CRIM



10007-1330SS



NOV 3 2021
NEW YORK, NY
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK